

# ORIGINAL

JMartinez.5k1.1

NOEL L. HILLMAN  
Chief, Public Integrity Section  
Department of Justice  
RUSSELL C. STODDARD  
First Assistant U.S. Attorney  
JEFFREY J. STRAND  
Assistant U.S. Attorney  
Sirena Plaza Suite 500  
108 Hernan Cortez Avenue  
Hagatna, Guam 96910  
Telephone: (671) 472-7332  
Telecopier: (671) 472-7334

Attorneys for United States of America

**FILED**  
DISTRICT COURT OF GUAM  
SEP 30 2005  
MARY L.M. MORAN  
CLERK OF COURT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF GUAM**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
JOHN S. MARTINEZ,  
  
Defendant.

CRIMINAL CASE NO. 00-00128  
  
**GOVERNMENT'S MOTION  
FOR A DOWNWARD DEPARTURE  
UNDER USSG § 5K1.1 AND  
18 U.S.C. § 3553(e)**

Comes now the United States and moves, pursuant to USSG § 5K1.1 and 18 U.S.C.  
§ 3553(e), for a substantial assistance downward departure from Offense Level 15 to Level 8, an  
advisory guideline range of 0 to 6 months. The government intends to recommend a sentence

//  
//  
//  
//  
//  
//  
//  
//

1 of probation, and the reasons for such recommendation are set forth in a memorandum, which the  
2 government is seeking to lodge under seal for reasons of security.

3 RESPECTFULLY SUBMITTED this 30<sup>th</sup> day of September, 2005.

4 NOEL L. HILLMAN  
5 Chief, Public Integrity Section  
6 Department of Justice

7 RUSSELL C. STODDARD  
8 First Assistant U.S. Attorney  
9 Districts of Guam and NMI

10 By:

11   
12 JEFFREY J. STRAND  
13 Assistant U.S. Attorney  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28